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No. 89

## House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. LATHAM).

### DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,

June 29, 2005.

I hereby appoint the Honorable TOM LATHAM to act as Speaker pro tempore on this day.

J. DENNIS HASTERT,

*Speaker of the House of Representatives.*

### PRAYER

Reverend Michael O. Canady, Director, Missions and Ministries Division, Louisiana Baptist Convention, Alexandria, Louisiana, offered the following prayer:

Almighty God, Creator and Sustainer of the universe, how great and how majestic is Your Name in all the Earth. We give thanks to You for the gift of life and for Your loving grace that enables us to enjoy Your presence each day.

Heavenly Father, we thank You for President Bush, Vice President CHENEY, the Cabinet, Members of the House of Representatives and their families. We ask Your divine blessings upon each of them as they give direction to our country. Give them wisdom, strength, and courage to accomplish the task of leading our great Nation.

Lord, we ask You to bless our soldiers and members of the Armed Forces that are in harm's way. Please watch over them with Your protective hand and give them courage to face each day with resolve and strength, and bless their families with Your daily presence and love.

Father, we give thanks unto You, for You are good and Your mercy endures

forever. How majestic is Your Name in all the Earth.

Amen.

### THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

### PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentlewoman from California (Ms. SOLIS) come forward and lead the House in the Pledge of Allegiance.

Ms. SOLIS led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### PRIVATE CALENDAR

The SPEAKER pro tempore. Pursuant to the order of the House of June 28, 2005, this is the day for the call of the Private Calendar. The Clerk will call the bill on the Private Calendar.

### BETTY DICK RESIDENCE PROTECTION ACT

The Clerk called the bill (H.R. 432) to require the Secretary of the Interior to permit continued occupancy and use of certain lands and improvements within Rocky Mountain National Park.

There being no objection, the Clerk read the bill as follows:

H.R. 432

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE, FINDINGS, AND PURPOSE.

(a) SHORT TITLE.—This Act may be cited as the "Betty Dick Residence Protection Act".

(b) FINDINGS.—The Congress finds the following:

(1) Prior to their divorce, a married couple, Fred Dick and Marilyn Dick, owned as tenants in common a tract of land that included the property identified in section 2(b) of this Act.

(2) When Fred and Marilyn Dick were divorced, Marilyn Dick became the sole owner of the tract, but Fred Dick retained the right of first refusal to acquire it if Marilyn Dick ever chose to sell it.

(3) In 1977, Marilyn Dick sold the tract to the United States for addition to Rocky Mountain National Park, but Fred Dick, asserting his right of first refusal, sued to cancel the transaction.

(4) In 1980, the lawsuit was settled through an agreement between the National Park Service and Mr. Dick and his heirs, successors and assigns.

(5) Under the 1980 settlement agreement, Mr. Dick and his new wife, Ms. Betty Dick, were allowed to lease and occupy the 23 acres comprising the property identified in section 2(b) for 25 years.

(6) Mr. Dick died in 1992, but Betty Dick has continued to lease and occupy the property identified in section 2(b) under the terms of the settlement agreement.

(7) Betty Dick's right to lease and occupy the property identified in section 2(b) will expire on July 16, 2005, at which time Ms. Dick will have attained the age of 83 years.

(8) Ms. Dick wishes to continue to occupy the property for the remainder of her life, and has sought to conclude a new agreement with the National Park Service that would permit her to do so. However, the Park Service has not been willing to agree to such an arrangement and is demanding that she vacate the property by July 16, 2005.

(9) Since 1980, Betty Dick has consistently occupied the property identified in section 2(b) as a summer residence and has made it available for community events. During that period, she has been a good steward of the property. Her occupancy has not been detrimental to the resources and values of Rocky Mountain National Park and has not created problems for the National Park Service or the public.

(10) Under the circumstances it is appropriate for Betty Dick to be permitted to continue her occupancy of the property identified in section 2(b) for the remainder of her

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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